

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

NEW ENERGY CONSULTANTS &
CONTRACTORS LLC

DEBTOR

CASE NO. 19-015891 ESL

CHAPTER 7

ASSET CASE

TRUSTEE'S MOTION TO INFORM
ADDITIONAL OFFER TO PURCHASE ESTATE PROPERTY
AND FOR CONFIRMING BIDDING DATE

TO THE HONORABLE COURT:

COMES NOW, **WIGBERTO LUGO MENDER**, as the appointed Chapter 7 Trustee,
who most respectfully states and informs as follows:

PROCEDURAL BACKGROUND

1. On October 10, 2019, debtor herein filed the instant petition for relief under Chapter 11 of the Bankruptcy Code. On August 14, 2020, debtor moved for the conversion of this case to a liquidating procedure under Chapter 7. On or around that same date, the undersigned Trustee was appointed as the Chapter 7 trustee for the Debtors' Estate.
2. On October 7, 2020, the trustee filed a Notice of Intent to Sell Property (hereinafter the "Notice for Sale") in order to complete a sale through the provisions of 11 U.S.C. Section 363(f). In the notice for sale the trustee informed that he had obtained a private offer from **Maximo Solar Industries**. The aggregate amount offered for two separate lots was **\$25,000.00**. Please refer to **Docket #152**.
3. This same motion provided, among other terms and conditions, that unless a party in interest filed a written objection, or that a better offer was received within the prescribed period of fourteen days, the trustee would complete the sale and adjudicate the sale to the best firm offeror, being at that time Maximo Solar Industries. In the event that a better firm offer was

received, an auction would be held to allow for the bidding of this property.

4. To this date, the record of this case shows that no objection to this sale has been filed.

5. Notwithstanding, on October 15, 2020, Mr. Jumil Caban, have presented an increased offer in the amount of \$28,390.85. After this increased offer, additional interested parties have confirmed their interest in bidding for these assets this pursuant the terms and conditions set forth at **Docket #152**.

6. On this procedural background the undersigned Trustee confirms and serves notice to the interested buyers, to creditors and to all parties in interest that a bidding meeting will be held on **October 22, 2020, at 1:00PM** at the business premises located at Rd 190, Km 1.5, lot 5, Sabana Abajo Industrial Park, Carolina, Puerto Rico.

7. In observance of the social distancing guidelines imposed on the ongoing health emergency the following precautionary instructions will apply.

- a) Attendance at the warehouse will be limited to no more than two person/representatives per each bidder in order to maintain no less than 6 feet (about 2 arms' length) from each other.
- b) All parties attending the bidding area shall wear a face cover.
- c) Each participant should be alert and inform prior to gaining access to the bidding meeting room of experiencing symptoms such as fever, cough, shortness of breath, or other symptoms of COVID-19.
- d) At the date of the meeting, the Trustee may request any additional protective measure or control which may be deemed required to comply with the safety protocols of this commercial property

8. The terms and conditions governing this process will be those detailed in the Notice for Sale filed on October 7, 2020. Upon conclusion of the bidding process, the Chapter 7 Trustee will file a corresponding bidding report adjudicating the sale in favor of the highest bidder.

WHEREFORE, the undersigned trustee prays the Honorable Court to be informed of these matters regarding the sales process that has followed the Notice for Sale of Property filed on October 7, 2020.

I HEREBY CERTIFY: That on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to Jose F Cardona, Esq (Attorney for Debtor) at jf@cardonalaw.com ; Charles A Cuprill, Esq . at cacuprill@cuprill.com; Juan A Cuyar, Esq at fccplawpr1@gmail.com; jcc@fclawpr.com; Teresa M Lube, Esq at lubeysoto@gmail.com ; Jorge Luis Gerena Esq., at jlgere@gmail.com ; Marjalisa Colon Villanueva, Esq at marjaliisacolon@gmail.com ; José Sánchez Girona, Esq. at jsanchez@scvrlaw.com; William Rivera Velez, Esq at wrvlaw@gmail.com ; Jose L Barrios Ramos, Esq., at jbarrios@prestigelegalpr.com ; Carla Ferrari Lugo, Esq., at ferrarilugo@gmail.com ; Jaime Ruiz Saldaña, Esq. at jruiz@jrslawpr.com ; Luis C. Marini Biaggi, Esq. at lmarini@mpmlawpr.com ; Ignacio J. Labarca-Morales, Esq. at ilabarca@mpmlawpr.com; Carolina Velaz Rivero, Esq., at cvelaz@mpmlawpr.com; Carlos Cardona Fernández, Esq at carloscardonafe@hotmail.com ; Carlos Infante, Esq., at cinfante@estrellallc.com; Carlos J Torres Velez, Esq at ctorres@torresvelez.com ; Juan A Santos Berrios, Esq at santosberriosbk@gmail.com ; Daniel Molina Lopez, Esq at dmolinalaw@gmail.com ; Sonia Colón, Esq., at scolon@ferraiuoli.com ; Camille Somoza, Esq. at csomoza@ferraiuoli.com ; Gustavo Chico Baris, Esq at gchico@ferraiuoli.com and **U.S. TRUSTEE OFFICES**, (Monsita Lecaroz Arribas, Esq.) at ustpreion21.hr.ecf@usdoj.gov and to the participants appearing in said record.

I FURTHER CERTIFY: That on this same date, I electronically mailed copy of the foregoing motion to: Mr. Jumil Caban at info@drtechpr.com; Mr. Rafael Vergara at rafycamion@gmail.com; Mr. David Portalatin at dportalatin@puraenergiapr.com ; Mr. Miguel Cosme at miguelaley3@gmail.com ; Mr. Jorge Torres at jorge.torres2594@gmail.com ; Mr. Jose A Bonilla at bertytow@yahoo.com and Mr. Ovidio Garcia at ovidio_ortiz@yahoo.com .

TRUSTEE'S INFORMATIVE MOTION ON SALE
AND NOTICE OF BIDDING PROCESS

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I FURTHER CERTIFY: That on this same date copy of this notice **with all Exhibits** has been served by First Class certified Mail return receipt requested to: **New Energy Consultants & Contractors, LLC (Debtor)** at PO Box 270435, San Juan, PR, 00928; **Jose F Cardona Jimenez, Esq. (Debtor's Attorney)** PO Box 9023593, San Juan, PR 00902.

RESPECTFULLY SUBMITTED

In Guaynabo, Puerto Rico this 20 day of October of 2020

/s/ Wigberto Lugo Mender
WIGBERTO LUGO MENDER
CHAPTER 7 TRUSTEE
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